

CONFERENCE COMMITTEE REPORT DIGEST FOR EHB 1605

Citations Affected: IC 9-13-2-69.3; IC 9-13-2-69.5; IC 9-19-14.5; IC 9-21-13.

Synopsis: Operation of emergency vehicles and funeral processions. Conference committee report for EHB 1605. Provides that the exclusive authority of certain emergency services responders to display green lights on their privately owned vehicles applies only to flashing or revolving green lights, and that the prohibition against the display of green light on any other person's vehicle applies only to flashing or revolving green lights. Revises the restrictions and conditions for display of green lights on a privately owned vehicle belonging to an emergency services responder. Prohibits a person driving a vehicle that is not a part of a funeral procession to join the procession. Requires a person operating a vehicle in a funeral procession to exercise due caution. Permits the use of a funeral pennant or flag, a windshield sticker, or an amber light to identify a vehicle that is a part of a funeral procession. **(This conference committee report: (1) prohibits a person driving a vehicle that is not a part of a funeral procession from joining the procession in order to secure the right of way; (2) requires a person operating a vehicle in a funeral procession to exercise due caution; (3) permits the use of a funeral pennant or flag, a windshield sticker, or an amber light to identify a vehicle that is a part of a funeral procession; and (4) defines funeral escort and funeral procession for purposes of the motor vehicle law pertaining to funeral processions.)**

Effective: July 1, 2003.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill No. 1605 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 9-13-2-69.3 IS ADDED TO THE INDIANA CODE
- 3 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 4 1, 2003]: **Sec. 69.3. "Funeral escort" has the meaning set forth in**
- 5 **IC 9-21-13-0.3.**
- 6 SECTION 2. IC 9-13-2-69.5 IS ADDED TO THE INDIANA CODE
- 7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 8 1, 2003]: **Sec. 69.5. "Funeral procession" has the meaning set forth**
- 9 **in IC 9-21-13-0.5.**
- 10 SECTION 3. IC 9-19-14.5-1 IS AMENDED TO READ AS
- 11 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. A privately owned
- 12 vehicle belonging to a certified emergency medical technician, certified
- 13 emergency medical service driver, or certified emergency medical
- 14 service first responder while traveling in the line of duty in connection
- 15 with emergency medical services activities may display **flashing or**
- 16 **revolving** green lights, subject to the following restrictions and
- 17 conditions:
- 18 (1) The lights may not have a light source less than fifty (50)
- 19 candlepower.
- 20 (2) All lights shall be placed on the top of the vehicle.
- 21 (3) Not more than two (2) green lights may be displayed on a
- 22 vehicle and each light must be of the flashing or revolving type and

visible at three hundred sixty (360) degrees.

(4) The lights must consist of a lamp with a green lens and not of an uncolored lens with a green bulb. However, the revolving lights may contain multiple bulbs.

(5) The green lights may not be a part of the regular head lamps displayed on the vehicle.

(6) For a person **to be** authorized under this chapter to display a **flashing or revolving** green light on the person's vehicle, the person must first secure a written permit from the director of the state emergency management agency to use the light. The permit must be carried by the person when the light is displayed.

SECTION 4. IC 9-19-14.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. Except as provided in section 1 of this chapter, a person who displays on any public or private motor vehicle at any time **flashing or revolving** green lights of any size or shape commits a Class C infraction.

SECTION 5. IC 9-19-14.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. This chapter does not prohibit the operation of a vehicle lawfully equipped with a **flashing or revolving** green light from being operated as any other vehicle when the green light is not illuminated.

SECTION 6. IC 9-21-13-0.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 0.3. As used in this chapter, "funeral escort" means a person that provides escort services for funeral processions.**

SECTION 7. IC 9-21-13-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 0.5. As used in this chapter, "funeral procession" means two (2) or more vehicles, including a lead or a funeral escort vehicle, accompanying human remains.**

SECTION 8. IC 9-21-13-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) A vehicle with lighted headlights in a funeral procession has the right-of-way at an intersection and may proceed through the intersection if the procession is headed by a lead or **funeral** escort vehicle displaying alternately flashing red and blue lights, except if either of the following conditions exist:

(1) When the right-of-way is required by an authorized emergency vehicle giving an audible signal.

(2) When the vehicles in procession are directed otherwise by a police officer.

(b) Before assuming the right-of-way, a person who drives a vehicle in the funeral procession must exercise due caution with regard to crossing traffic.

SECTION 9. IC 9-21-13-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. A person who drives a vehicle that is not a part of a funeral procession may not **join the procession** or form a procession and have headlights lighted for the purpose of securing the right-of-way granted by this chapter to funeral processions.

SECTION 10. IC 9-21-13-4 IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. (a) The lead and **funeral** escort vehicles in a funeral procession may be equipped with flashing amber lights that may be used only when the vehicles are used in a funeral procession.

(b) Notwithstanding any other provisions in this article that govern emergency vehicles, the lead and **funeral** escort vehicles in a funeral procession may be equipped with flashing red lights that may be used only when the vehicles are used in a funeral procession. The flashing red lights may only be used to gain the right-of-way at intersections and to protect a funeral procession while crossing an intersection.

SECTION 11. IC 9-21-13-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 4.5. (a) A person operating a vehicle in a funeral procession:**

(1) must exercise due caution while in the funeral procession; and

(2) must follow the preceding vehicle in the funeral procession as closely as is practical and safe.

(b) A vehicle that is part of a funeral procession:

(1) must have its headlights and taillights illuminated; and

(2) may display flashing amber lights.

(c) The operator of:

(1) a vehicle immediately following the lead vehicle in a funeral procession; and

(2) the last vehicle in the funeral procession;

may illuminate the vehicle's hazard warning lights while in the funeral procession.

SECTION 12. IC 9-21-13-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. A vehicle that is a part of a funeral procession ~~shall~~ **may** use:

(1) funeral pennants or flags; ~~or~~

(2) windshield stickers; ~~or~~

(3) an amber light as described in section 4.5(b) of this chapter; to identify the vehicle as a part of the procession.

(Reference is to EHB 1605 as printed April 4, 2003.)

Conference Committee Report
on
Engrossed House Bill 1605

Signed by:

Representative Reske
Chairperson

Senator Jackman

Representative Koch

Senator Lanane

House Conferees

Senate Conferees